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| 10/673,035 | 09/25/2003 | Lisa C. Meteyer | 50269-0598 | 8036 |
| 29989 7590 05/16/2007 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110 | | | EXAMINER JACKSON, JAKIEDA R | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/673,035

Applicant(s)

METEYER ET AL.

Examiner

Jakieda R. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 14-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 14-16, 19, 21, 24-27, 30-32 and 35** are rejected under 35 U.S.C. 102(e) as being anticipated by Pajwani (PGPUB 2004/0148180).

Regarding **claim 14**, Pajwani discloses a method of providing search results from a search of candidate resumes, said method comprising the machine-implemented steps of:

identifying a first passage in a job description that includes a first trigger phrase from a first set of predefined trigger phrases, wherein said first set of predefined trigger phrases is associated with a first type of criterion (first category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

extracting a first criterion from the first passage, wherein said first criterion passage is associated with the first type of criterion (first criterion; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

identifying a second passage in the job description that includes a second trigger phrase from a second set of predefined trigger phrases, wherein said second set of predefined trigger phrases is associated with a second type of criterion (second category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

extracting a second criterion from the second passage, wherein said second criterion is associated with the second type of criterion (second category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

searching a candidate resume for said first and second criterion (seek; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

if said first criterion is found in the candidate resume, then including said candidate resume in the search results (resume; column 5, paragraphs 0061 with column 3, paragraphs 0040-0042 – column 4, paragraph 0044 and column 6, paragraph 0073); and

if said criterion is not found in the candidate resume, and the second criterion is found in the candidate resume, then omitting the candidate resume from the search results (not any matches; column 6, paragraphs 0073 with column 3, paragraph 0040-0042 – column 4, paragraph 0044).

Regarding **claim 15**, Pajwani discloses a method wherein said candidate resume is a first candidate resume, further comprising the steps of:

searching a second candidate resume for said first and second criteria (seek; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

if said second criterion is found in both the first and second candidate resume and not found in the second candidate resume, then listing the first candidate resume in a first portion of the search results and listing second candidate resume in a second portion of the search results (column 3, paragraphs 0040-0042 – column 4, paragraph 0044).

Regarding **claim 16**, Pajwani discloses a method wherein said first portion is listed in the search results above said second portion (column 3, paragraphs 0040-0042 – column 4, paragraph 0044).

Regarding **claim 19**, Pajwani discloses a method wherein the step of identifying a first passage in the job description that includes a first trigger phrase comprises identifying a clause of a sentence in the job description that contains a trigger phrase selected from the first set of trigger phrases (column 6, paragraphs 0070-0073); and the step of extracting a first criterion from the first passage comprises extracting a portion of the identified clause that does not contain the first trigger phrase (not any matches; column 6, paragraphs 0070-0073).

Regarding **claim 21**, Pajwani discloses a method wherein the step of extracting a first criterion from the first passage further comprises validating the first criterion (first category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044); and

the step of searching a candidate resume for said first and second criterions comprises searching a candidate resume for said first and second valid criterions (second category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044).

Regarding **claim 24**, Pajwani discloses a method further comprising:

identifying a third passage in the job description that includes a third trigger phrase from the first set of predefined trigger phrases (first category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

extracting a third criterion from the third passage, wherein said third criterion is associated with the first type of criterion (first category; column 3, paragraphs 0040-0042);

searching a candidate resume for said first, second and third criteria (seek, first, second and third category; column 3, paragraphs 0040-0042 – column 4, paragraph 0044);

if both said first criterion and second criterion are found in the candidate resume, then including said candidate resume in the search results (column 3, paragraphs 0040-0042 – column 4, paragraph 0044 with column 6, paragraph 0073); and

if either said first criterion or said third criterion is not found in the candidate resume, then omitting the candidate resume from the search results (no match; column 3, paragraphs 0040-0042 – column 4, paragraph 0044 with column 6, paragraph 0073).

Regarding **claims 25-27, 30-32 and 35**, Pajwani discloses a computer-readable medium (machine-readable medium) carrying one or more sequences of instruction which, when executed by one or more processors, cause the one or more processors to perform the method (instructions to the processor; column 2, paragraph 0033).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 17-18 are 28-29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajwani in view of Chapman (PGPUB 2005/0033698).

Regarding **claim 17**, Pajwani discloses a method wherein the first type of criterion is a required type (required; columns 3-4, paragraphs 0042-0044), but does not specifically teach wherein said second type of criterion is an optional type.

Chapman teaches a method wherein said second type of criterion is an optional type (column 3, paragraph 0033-0037 and column 6-7, paragraphs 0057-0064), for finding the appropriate and available person.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pajwani's method wherein said second type of criterion is an optional type, as taught by Chapman, to determine who is both available and qualified to perform the duties (column 1, paragraphs 0006-0007).

Regarding **claim 18**, Pajwani discloses a method wherein the first set of predefined trigger phrases includes phrases selected from the group of phrases consisting of require, requires, requirement (required; columns 3-4, paragraphs 0042-0044), but does not specifically teach the other phrases consisting of compulsory,

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crucial, essential, imperative, must, mandatory, vital, imperative, necessary, qualification, prerequisite, key criteria, is key, got to, has to have to and key skill; and

the second set of predefined trigger phrases includes phrases selected from the group of phrase consisting of optional, desired and preferred.

Chapman teaches a method wherein it teaches phrases consisting of qualification (qualifications), and key skill (skill; column 3, paragraph 0033-0037 and column 6-7, paragraphs 0057-0064); and

the second set of predefined trigger phrases includes phrases selected from the group of phrase consisting of desired (desires; column 3, paragraph 0033-0037 and column 6-7, paragraphs 0057-0064), for finding the appropriate and available person, but does not specifically teach phrases consisting of compulsory, crucial, essential, imperative, must, mandatory, vital, imperative, necessary, prerequisite, key criteria, is key, got to, has to have to, optional and preferred.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pajwani in view of Chapman's method wherein it is included all of the different phrases, to determine who is both available and qualified to perform the duties (column 1, paragraphs 0006-0007).

Regarding **claim 28-29**, Pajwani discloses a computer-readable medium (machine-readable medium) carrying one or more sequences of instruction which, when executed by one or more processors, cause the one or more processors to perform the method (instructions to the processor; column 2, paragraph 0033).

5. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pajwani in view of Peikes (USPN 7,096,420).

Regarding **claim 20**, Pajwani discloses a method of providing search results, but does not specifically teach a method wherein the step of identifying a first passage in the job description that includes a first trigger phrase comprises identifying in the job description a trigger phrase from the first set of trigger phrases followed by either a colon or hyphen; and

the step of extracting a first criterion from the first passage comprises extracting the sentence that follows the colon or hyphen that follows the first trigger phrase in the job description.

Peikes discloses a method wherein the step of identifying a first passage in the job description that includes a first trigger phrase comprises identifying in the job description a trigger phrase from the first set of trigger phrases followed by either a colon or hyphen (colon; column 12, lines 15-34); and

the step of extracting a first criterion from the first passage comprises extracting the sentence that follows the colon or hyphen that follows the first trigger phrase in the job description (colon; column 12, lines 15-34), to disambiguate tags.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pajwani's method wherein it teaches a colon or hyphen that follows the first trigger phrase, as taught by Peikes, for automatically

documenting command file tags and for generating skeleton documentation content from operating system command files (column 1, lines 20-26).

6. **Claims 22 and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajwani in view of Cherry et al. (PGPUB 2002/0116203), hereinafter referenced as Cherry.

Regarding **claim 22**, Pajwani discloses a method of providing search results, but does not specifically teach wherein the step of validating the first criterion comprises:

determining whether the first trigger phrase in the first passage is preceded by a negating word; and if the first trigger phrase is preceded by a negating word, then determining that the first criterion is not valid.

Cherry teaches a method for managing job resumes wherein the step of validating the first criterion comprises:

determining whether the first trigger phrase in the first passage is preceded by a negating word; and if the first trigger phrase is preceded by a negating word, then determining that the first criterion is not valid (Boolean operations; column 2, paragraphs 0023-0025), to enable candidates to submit their resumes online in a number of ways.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pajwani's method wherein it wherein the trigger phrase is preceded by a negating word, then determining that the first criterion is not

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valid, as taught by Cherry, to automatically and efficiently manage job resumes with minimal human intervention (column 1, paragraphs 0008 and 0018).

Regarding **claim 33**, Pajwani discloses a computer-readable medium (machine-readable medium) carrying one or more sequences of instruction which, when executed by one or more processors, cause the one or more processors to perform the method (instructions to the processor; column 2, paragraph 0033).

7. **Claims 23 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajwani in view of Peikes, as applied to claim 20 above, and in further view of Cherry et al. (PGPUB 2002/0116203), hereinafter referenced as Cherry.

Regarding **claim 23**, Pajwani in view of Peikes disclose a method of providing search results, but does not specifically teach the step of validating the first criterion comprises;

determining whether the first trigger phrase in the first passage is part of a phrase from a set of nontrigger phrases; and if the first trigger phrase in the first passage is part of a phrase from a set of nontrigger phrases, then determining that the first criterion is not valid.

Cherry teaches a method for managing job resumes wherein the step of validating the first criterion comprises;

determining whether the first trigger phrase in the first passage is part of a phrase from a set of nontrigger phrases; and if the first trigger phrase in the first

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passage is part of a phrase from a set of nontrigger phrases, then determining that the first criterion is not valid (Boolean operations; column 2, paragraphs 0023-0025), to enable candidates to submit their resumes online in a number of ways.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pajwani in view of Peikes method wherein it comprises nontrigger phrases, as taught by Cherry, to automatically and efficiently manage job resumes with minimal human intervention (column 1, paragraphs 0008 and 0018)

Regarding **claim 34**, Pajwani discloses a computer-readable medium (machine-readable medium) carrying one or more sequences of instruction which, when executed by one or more processors, cause the one or more processors to perform the method (instructions to the processor; column 2, paragraph 0033).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Weins et al. (PGPUB 2002/0091689) disclose a method and system for querying and posting to multiple career websites on the internet.
- Prahlad et al. (PGPUB 2004/0167941) disclose a system and method for archiving objects in an information store.
- Mittal et al. (PGPUB 2003/0125970) disclose a method and system for real time interactive recruitment.

- Kohs (PGPUB 200/002188) discloses a method and system for time-biasing, matching, and reporting digital resumes, digital job orders, and other electronic proposals.
- Hyatt (PGPUB 2003/0187842) discloses a system and method for choosing a career.
- Joao (USPN 6,662,194) discloses an apparatus and method for providing recruitment information.
- Levine (PGPUB 2006/0100919) discloses an employee recruiting system and method.
- Billmers (USPN 6,226,630) discloses a method and apparatus for filtering incoming information using search engine and stored queries defining user folders.
- Mackie et al. (USPN 6,249,784) disclose a system and method for searching and processing databases comprising named annotated text strings.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571-272-7619. The examiner can normally be reached on Monday, Tuesday and Thursday 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ
May 10, 2007



**DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**